

SENATE BILL 763

By Tate

AN ACT to amend Tennessee Code Annotated, Section 49-4-708 and Title 49, Chapter 4, Part 9, relative to postsecondary financial assistance from net lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-4-708(b)(3), is amended by deleting the subdivision in its entirety and substituting instead:

(3) "Eligible postsecondary institution" means:

(A) A postsecondary institution that was eligible for the Tennessee education lottery scholarship, as defined in § 49-4-902, on July 1, 2013, and remains eligible thereafter; or

(B) A private two-year postsecondary institution that:

(i) Has been chartered in this state as a not-for-profit entity for at least seventy-five (75) years;

(ii) Has had its primary campus domiciled in this state for at least seventy-five (75) years;

(iii) Has been accredited by the Council on Occupational Education for at least forty (40) years;

(iv) Is exempt from oversight under the Postsecondary Education Authorization Act of 1974, compiled in chapter 7, part 20 of this title;

(v) Offers associate of applied technology degree programs, as well as certificate and diploma programs; and

(vi) Has an articulation agreement with a regionally accredited out-of-state private, nonprofit institution of higher education that awards baccalaureate degrees;

SECTION 2. Tennessee Code Annotated, Section 49-4-708(b)(1), is amended by deleting the words “a Tennessee college of applied technology” and substituting instead “a Tennessee college of applied technology or at an eligible postsecondary institution as defined in subdivision (b)(3)(B)”.

SECTION 3. Tennessee Code Annotated, Section 49-4-708(b)(4), is amended by deleting the words “at a Tennessee college of applied technology” and substituting instead “at a Tennessee college of applied technology or at an eligible postsecondary institution as defined in subdivision (b)(3)(B)”.

SECTION 4. Tennessee Code Annotated, Section 49-4-708(c)(3), is amended by deleting the words “at a Tennessee college of applied technology” and substituting instead “at a Tennessee college of applied technology or at an eligible postsecondary institution as defined in subdivision (b)(3)(B)”.

SECTION 5. Tennessee Code Annotated, Section 49-4-708(c)(6), is amended by deleting the subdivision in its entirety and substituting instead:

(A) Notwithstanding subdivision (c)(5), the amount of the Tennessee Promise scholarship at an eligible four-year public postsecondary institution or an eligible private institution shall be the average cost of tuition and mandatory fees at the public two-year postsecondary institutions less all other gift aid. Gift aid shall be credited first to the average tuition and mandatory fees as described in subdivision (c)(5);

(B) Notwithstanding subdivision (c)(5), the amount of the Tennessee Promise scholarship at an eligible postsecondary institution as defined in subdivision (b)(3)(B) shall be the average cost of tuition and mandatory fees at the Tennessee colleges of applied technology less all other gift aid. Gift aid shall be credited first to the average tuition and mandatory fees as described in subdivision (c)(5);

SECTION 6. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new section:

(a) Notwithstanding § 49-4-902(11), as used in this section, “eligible independent postsecondary institution” means a private two-year postsecondary institution that:

(1) Has been chartered in this state as a not-for-profit entity for at least seventy-five (75) years;

(2) Has had its primary campus domiciled in this state for at least seventy-five (75) years;

(3) Has been accredited by the Council on Occupational Education for at least forty (40) years;

(4) Is exempt from oversight under the Postsecondary Education Authorization Act of 1974, compiled in chapter 7, part 20 of this title;

(5) Offers associate of applied technology degree programs, as well as certificate and diploma programs; and

(6) Has an articulation agreement with a regionally accredited out-of-state private, nonprofit institution of higher education that awards baccalaureate degrees.

(b) Notwithstanding the requirement of § 49-4-921 that a student be admitted to and enroll in a Tennessee college of applied technology to receive a Wilder-Naifeh technical skills grant, a student who is admitted to and enrolls in an eligible independent postsecondary institution as defined in subsection (a), shall be eligible to receive the Wilder-Naifeh technical skills grant under § 49-4-921, if the student meets all requirements for the grant, other than enrollment in a Tennessee college of applied technology.

(c) Notwithstanding the requirement of § 49-4-923 that a student be admitted to and enroll in a Tennessee college of applied technology to receive a Wilder-Naifeh Reconnect grant, a student who is admitted to and enrolls in an eligible independent postsecondary institution as defined in subsection (a) shall be eligible to receive the Wilder-Naifeh Reconnect grant under § 49-4-923, if the student meets all requirements for the grant, other than enrollment in a Tennessee college of applied technology.

SECTION 7. This act shall take effect July 1, 2015, at 12:05 a.m., the public welfare requiring it, and shall apply to students seeking postsecondary financial assistance from net lottery proceeds for the 2015–2016 academic year and academic years thereafter.